

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
July 10-14, 2000

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
07/11	EX	74/603,891	Indena S.p.A.	Simms Cissel Wendel*	Genericness (Supplemental Register)	Refusal Affirmed		"PHYTOSOME" [complexes of vegetable substances with phospholipids for use in the manufacture of cosmetics, pharmaceuticals and health foods]		French	No
07/11	EX	74/719,023	Platinum Technology, Inc.	Simms Hairston Holtzman*	2(e)(1)	Refusal Affirmed		"MERGE/MODIFY" [computer software for use in database design, implementation, administration and management, etc.]		W. Price	No
07/12	EX	75/022,955 75/022,957 75/022,958	First Brands Properties, Inc.	Hairston Wendel* Bucher	2(d)			"the color...as applied to the closure seal on the goods" [plastic bags for packaging, namely, food storage, sandwich and freezer bags, sold empty]	"horizontal stripe adjacent the bag top lined for the color red [but] no claim is made to any specific color" [plastic bags]	Rupp	No
07/12	EX	75/130,696 (R)	Auto Wax Company, Inc.	Cissel Hohein Walters*	Section 6 disclaimer	Disclaimer Approved; Board Decision of 04/28/00 set aside		"THE PROFESSIONAL DETAILERS' SECRET" [cleaning preparations, waxes, and polishes for use on the surface of vehicles, boats and airplanes]		Seegars	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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07/12	EX	75/626,764	Joseph Phelps Vineyards	Simms Hohein* Bucher	2(e)(4)	Refusal Affirmed		"BACKUS VINEYARD" [wine]		Delaney	No
07/12	OPP	99,534 [R]	Minuteman International, Inc. v. Royal Appliance Mfg. Co.	Walters* Wendel Bottorff	2(d)	Request for recon. and amendment denied	"MPV" [vacuum cleaners for commercial and industrial use]	"MPV" [electrical vacuum cleaners for both domestic and industrial use]			No
07/12	OPP	105,022	Jack Daniel's Properties, Inc. v. Quest Associates, Ltd.	Cissel Quinn Chapman*		Opposition Sustained	"JACK DANIEL'S"; "GENTLEMAN JACK"; "JACK DANIEL'S COUNTRY COCKTAILS", etc. [whiskey, alcoholic cocktails]	"COLAJACK" [alcoholic beverage; namely, distilled spirits and prepared alcoholic cocktails]			No

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07/14	EX	75/094,815	Dick's Clothing and Sporting Goods, Inc.	Simms Hohein Bucher*	Definiteness of ID of goods; requirement for appropriate specimens	Refusals Affirmed		"WE'LL SUPPLY THE STUFF, YOU SUPPLY THE DREAM" [sporting equipment, including basketball equipment, baseball equipment, inline skates]		Carroll	No
07/14	EX	75/308,480	Gary Null & Associates, Inc.	Hanak Bucher* McLeod	2(d)	Refusal Reversed		"HEAVENLY ALOE" [nutritional supplements, vitamins, mineral supplements; herbal extracts for use as nutritional supplements, and beverage mixtures, namely, nutritional drink mixes for use as meal replacements]	"HEAVENLY STRAWBERRY BANANA" [fruit juices, fruit juice drinks, lemonades, aerated and non-aerated waters, and carbonated sodas]	Pasquine	No
07/14	EX	75/357,114	Winfield Locks, Inc.	Simms Quinn Bottorff*	2(e)(1); 2(d) (two registrations)	Refusals Affirmed		"MICROCARD" [electronic door access systems comprising recodable machine-readable entry key, key encoder and electronic entry lock]	"MICRO CARD" [electronic systems for processing and storing data in connection with smart card applications; "MICRO CARD TECHNOLOGIES, INC." [electronic terminals for processing and storing data in connection with machine-readable cards]	Goodman	No

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07/14	EX	75/367,152	QuikPrint of Austin, Inc.	Hanak* Quinn Hairston	2(d)	Refusal Reversed		"PRINT POINTE" [photocopying services, namely, copying of documents for others; and printing services]	"PRINT POINT" [computer software for commercial printing estimating]	Stoides	No
07/14	EX	75/467,010	Times Mirror Magazines, Inc.	Hohein Hariston Wendel*	2(d)	Refusal Reversed		"THE SPORTING NEWS FANTASY HOCKEY CHALLENGE" [role playing games, namely, providing sports fans with a format wherein they are able to draft individual professional players from the field of hockey and compete with these selected individuals in fictitious playoff and championship games]	"FANTASY HOCKEY" [computer game programs and board games]	H. Fisher	No
07/14	EX	74/507,720	PageMart, Inc.	Cissel* Hanak McLeod	2(d)	Refusal Affirmed		"INFONOW" [telecommunications services, namely, providing prompt subscriber-oriented wireless message paging services via message pagers]	"INFO NOW" [promoting the goods and services of others by providing reader response, business information, etc. by telephone, fax, computer, etc.; various communications services]	LaForte	No
07/14	EX	75/177,779	Discount Care & Truck Rentals Ltd.	Quinn* Hairston McLeod	2(e)(1); 2(f)	Refusal Affirmed		"DISCOUNT" [car and truck rental services]		Le	No

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